

Amendment No. 1 to SB1686

Briggs  
Signature of Sponsor

**AMEND Senate Bill No. 1686**

**House Bill No. 1688\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 3, Part 2, is amended by adding the following new section:

(a) Beginning January 1, 2023, there is created a common carrier license to be issued by the commission to a person, firm, or corporation that transports goods for a fee, and maintains a regularly established schedule of service within this state to transport wine from a person licensed under § 57-3-217 or § 57-3-415 directly to the citizens of the state who are twenty-one (21) years of age or older. Each applicant shall pay to the commission a one-time, nonrefundable fee in the amount of three hundred dollars (\$300) when the application is submitted for review. A license under this section must not be issued until the applicant has paid to the commission the annual license fee of one thousand dollars (\$1,000).

(b) A common carrier shall only transport wine to individuals over twenty-one (21) years of age and in accordance with § 57-3-217. It is a violation for a common carrier, their employees, agents, or contractors, upon the time of final delivery to the individual, to not inspect a valid government-issued identification for proof the individual is twenty-one (21) years of age or older.

(c) This section does not apply to common carriers regulated under 49 U.S.C. §§ 10101 et seq., or to rail trailer-on-flatcar/container-on-flatcar (TOFC/COFC) service, as defined in 49 CFR § 1090.1, or highway TOFC/COFC service provided by a rail carrier, either itself or jointly with a motor carrier, as part of continuous intermodal freight

transportation, including, without limitation, any other TOFC/COFC transportation as defined under federal law.

(d) The commission may make such investigations and inspections necessary to administer this part.

SECTION 2. Tennessee Code Annotated, Section 57-3-217, is amended by deleting subsection (g) and substituting:

(g)

(1)

(A) It is an offense for a person to ship alcoholic beverages or beer to residents of this state without a license authorizing such activity.

(B) A violation of subdivision (g)(1)(A) is a Class E felony, punishable by a fine only.

(2)

(A) All shipments of alcoholic beverages or beer made in this state must be by face-to-face delivery to individuals who provide proof satisfactory that they are over twenty-one (21) years of age and sign upon receipt.

(B) A violation of subdivision (g)(2)(A) is a Class B misdemeanor, punishable by a fine only.

SECTION 3. For the purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. Section 2 of this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2023, the public welfare requiring it.